IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

TUESDAY, THE 10TH JULY 2007 / 19TH ASHADHA 1929

Bail Appl..No. 1466 of 2007(C)

(CRIME NO. 32/2007 OF PERUMPADAPPU POLICE STATION)

PETITIONER/7TH ACCUSED

SIRAJUDHEEN, S/O.SAYED MUHAMMED,
AYIROOROAM AMSOM, PALAPETTI.

BY ADV. SRI.K.J.SAJI ISAAC

RESPONDENTS:

STATE OF KERALA,
REP. BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA.

BY ADV. SRI. JAI GEORGE, PUBLIC PROSECUTOR

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 10/07/2007, ALONG WITH 1465 & 1467 OF 2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J

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B.A.Nos1465,1466 &
1467 Of 2007

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Dated this the 10th day of July, 2007

ORDER

The common petitioner, in three bail applications seeks regular bail for offences alleged against him in three different crimes registered, interlia, under Section 308 IPC. He was arrested on 14.2.07. Another Bench of this Court, by order dated 8.3.07, directed to release the petitioner on interim bail for the period 12.3.07 to 30.03.07. He was released; but did not surrender back to the Prison on 31.03.07 to facilitate his appearance for an examination. Thereupon, the order dated 10.04.07 was passed by this Court and it was reported that the petitioner is suffering from mental ailment. Further enquiry was directed on that aspect and the report dated 29.6.07 by the learned First Class Magistrate, Ponnani and a certificate of the Superintendent, Mental Health Centre, Thrissur which is appended to that report show that the petitioner has no psychiatric illness. It is submitted at the Bar that the petitioner has subsequently been detained under the provisions of the Kerala Anti-Social Activities (Prevention) Ordinance, 2007 and he is continuing in custody.

2. Having heard the learned counsel for the petitioner and the learned Public Prosecutor, I am not persuaded to grant regular bail to

the petitioner now. His conduct of not complying with the direction of the interim bail granted to him, does also weigh with me considerably to come to such conclusion.

3. These applications for bail are, in these circumstances dismissed. The learned Magistrate shall take necessary steps regarding the custody of the petitioner forthwith. Communicate this order to the learned Magistrate.

(R.BASANT, JUDGE)

sj